



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MF

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/183,605 10/30/98 SHUSTER

B SHUS803

EXAMINER

TM02/0228

O MELVENY & MYERS LLP
400 SOUTH HOPE STREET
LOS ANGELES CA 90071-2899

BACKER, F

ART UNIT

PAPER NUMBER

2155

DATE MAILED:

02/28/01

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/183,605

Applicant(s)

SHUSTER, BRIAN

Examiner

Firmin Backer

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4, 6, 7 and 9-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4, 6, 7 and 9-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Continued Prosecution Application

1. The request filed on February 9th, 2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/183,605 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 2-4, 6-7, 9-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Mott et al (U.S. Patent No. 6,170,060).

4. As per claim 2, Mott et al teach a method of user's access to information in a computer network having a recipient (client systems, 214) and a provider (server, 260) (see fig. 2, 7 col. 16 lines 29-57) comprising receiving a request access to first information content from a recipient computer (client systems, 214) over the network (network, 240), transferring the first information content to the recipient computer (see fig. 2, col. 7 line 66-8 line 56), transferring additional software, comprises at least one program routine (code) for interacting with software

Art Unit: 2155

comprise at least one function operable at the selection of a user for requesting a second information, that operated with the recipient computer and for accessing the first information content to the recipient (see fig. 2, col. 7 line 66-8 line 67, 9 line 7-56), executing the program routine of the additional software in the recipient computer to register activation of the additional function in the further software on the recipient computer (see fig. 2 col. 10 line 62-11 line 25) operating the recipient computer under partial control of the additional software to provide access to third information content in response to activation of on function in the software (see fig. 2, col. 7 line 66-8 line 67, 9 line 7-56).

5. As per claim 3, Mott et al teach a method wherein requesting first information content comprises transmitting a request to access a first internet site over the internet and transferring first information content comprises transferring one HTML file associated with the first internet site (see fig. 1, col. 5 lines 40-59).

6. As per claim 4, Mott et al teach a method wherein transferring additional software comprises transferring browser script which includes one program routine for interacting with a browser program on the recipient computer (see col. 10 line 62-11 line 25)

7. As per claim 6, Mott et al teach a method wherein operating the recipient computer under partial control of the additional software to provide access to third information content comprises transferring one HTML file associated with a third internet site to the recipient computer wherein

Art Unit: 2155

the third internet site is different than a second internet site whereon the second information content resides (see fig. 1, col. 5 lines 40-59).

8. As per claim 7, Mott et al teach a method wherein executing program routine comprises for registering activation of a browser function selected from the group consisting of back, forward, home, favorite sites and bookmark sites (see fig. 1, col. 5 lines 40-59).

9. As per claim 9, Mott et al teach a method wherein the operating the recipient computer further comprises preventing the second information content from being displayed on the recipient computer (see col. 10 line 62-11 line 25).

10. As per claim 10, it contains the same inventive concept as claim 6. Therefore, it is rejected under the same rationale.

11. As per claim 11-16, they contain the same inventive concept as claim 2-4, 6-9. Therefore, it is rejected under the same rationale.

12. As per claim 17, 18 they contain the same inventive concept as claim 2 and 7. Therefore, it is rejected under the same rationale.

13. As per claim 19-22 they contain the same inventive concept as claim 2-4, 6-9.. Therefore, it is rejected under the same rationale.

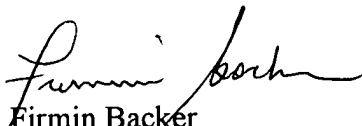
Art Unit: 2155


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is 703-305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3718 for regular communications and 703-305-5352 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Firmin Backer
February 20, 2001


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100